

REMARKS

Claims 1-10 are pending in the application. Claims 1-10 have been rejected.

Claims 1-4 and 6-8 are rejected under 35 USC § 102(e) as being anticipated by Choe (US Patent No. 6,009,093).

Choe discloses a private branch exchange (PBX) that allows for ISDN interface. The interface is 'configurable' in that it responds to an incoming message that transmits its configuration requirements to the PBX. The PBX then assumes that role and continues to act in that role until the communications between the PBX and the network entity is completed. See column 13, line 36 through column 14, line 55. In contrast, the current invention as claimed is directed to a network device in a routing or concentrating environment.

In addition, the configuration of layers 1, 2 and 3, even though done in a separated fashion, are all dependent upon the configuration of the interface as either terminal equipment (TE) or as a network terminal (NT). Once the configuration is selected to be TE or NT, the configuration of the layers are in accordance with the standard settings for these layers. See the specification, page 1, line 27 through page 2, line 6. Choe improves over the prior art in that it allows the selection for either TE or NT to be changed upon configuration of the interface by a message, but it does not provide for independence among the layers. See the specification at page 2, lines 21-25.

Claims 1, 6 and 8 require that the interface be configurable at any time, such as during operation and on the fly. The configurable interface of Choe is not alterable after the configuration message is received and processed. It is therefore submitted that claims 1, 6 and 8 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claims 2-4 depend from claim 1 and should be ruled allowable for that reason and for their own merits. Choe does not disclose a network device communicating with a terminal

equipment device, as in claim 2, and a network terminal device, as in claim 3, that can be configurable at any time with independence between the layers of the interface. With regard to claim 4, the Choe reference discloses a 'system clock for synchronization,' which seems to indicate that it is a sourced clock as an NT interface. It does not synchronize to a clock as a TE interface, further emphasizing that the configuration is not switchable between NT and TE configurations. See the specification at page 4, lines 25-30. It is therefore submitted that claims 2-4 are patentably distinguishable over the prior art and allowance of these claims is requested.

With regard to claim 7, where the clock and power signals are alterable, the office action states "here it is understood that the CPM can alter the configuration of the Clock Tone Module and the Power Module." However, the reference in no manner makes any reference to those alterations. The standard for rejection under 35 USC 102 is that every limitation of the claimed invention must be disclosed. That is not so in this case. Further, the alteration of clocking and power is due to the configurable nature of the interface of the claimed invention that is not taught, shown or suggested by the disclosure of Choe. Therefore, it is therefore submitted that claim 7 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claims 5 and 9 are rejected under 35 USC 103(a) as being unpatentable over Choe in view of Maas, et al.(US Patent No. 5,450,486).

Maas merely described an interface that is configured to be either TE or NT, as discussed above. With the configuration of an NT interface, Maas provides power, as is standard in NT interfaces. There is nothing in Maas that overcomes the deficiencies of Choe, as the combination of references does not teach that the provision or non-provision of power, which depends upon a selection made as to NT or TE, can be altered outside of a particular

configuration. It is therefore submitted that claim 5 is patentably distinguishable over the prior art and allowance of this claim is requested.

With regard to claim 9, Choe does not teach a user interface. The office action refers to the 'exchange main module interface 21' as the user interface. This interface is a T1:T1 interface that has no interaction or user qualities at all. See column 8, lines 21-31. This is an interface card inside the device disclosed in Choe that 'exchanges signaling information with the CPM through the common memory.' There is no user interaction disclosed in Choe. Maas does not show, teach nor suggest any user interaction either, certainly not allowing a user to select any of the parameters claimed, much less provision or non-provision of power. It is therefore submitted that claim 9 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claim 10 is rejected under 35 USC 103(a) as being unpatentable over Chen (US Patent No. 5,412,660).

Chen discloses configuration of a satellite microwave radio link. There is no user interface as that term is defined in the specification. The user interface referred to in Chen, at column 4, lines 6-7 refers to the interface card with the user's equipment. See column 3, lines 53-56. Similarly, there is no 'reception of inputs indicating settings for the parameters.' The text referred to in Chen states 'The data interface provides a RS-232 serial interface and supports 2400, 4800, 9600 and 19,200 bits per second asynchronous communication...' There is not selection of these parameters. The interface just supports any one of these transmission rates as they are received. Finally, there is no configuration of the interface in accordance with these parameters. The interface is set up to handle whatever comes through the link, it is not 'configured' to a particular setting. It is therefore submitted that claim 10 is patentably distinguishable over the prior art and allowance of this claim is requested.

No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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